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ATTORNEY FOR TANJILA AHMED C/O MANUELA PEREZ

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE: §
RONALD JOHNIGAN & §
CITERIKA CALDWELL, § CASE NO. 24-44289-ELM-13
DEBTORS, §
TANJILA AHMED C/O MANUELA PEREZ, §
MOVANT, §
VS. §
RONALD JOHNIGAN & § A Hearing on the Motion for Relief from
CITERIKA CALDWELL, § the Automatic Stay set:
RESPONDENTS. § **DECEMBER 31, 2024 AT 9:30 AM**

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Tanjila Ahmed c/o Manuela Perez ("Landlord"), complaining of Ronald Johnigan & Citerika Caldwell ("Debtors") and for cause of action would respectfully show the Court as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 157 and 11 U.S.C. § 362. This is a core proceeding.
2. Tanjila Ahmed c/o Manuela Perez is an individual doing business in Texas. Debtors are individuals who may be served at 1440 Sierra Estate Trail, Fort Worth, TX 76119..
3. Debtors filed a petition pursuant to Chapter 13 of Title 11 on or about November 19, 2024. An Order for Relief was subsequently entered.
4. By virtue of a Residential Lease Agreement (the "Lease"), Landlord leased to Debtors Real Property located at 1440 Sierra Estate Trail, Fort Worth, TX 76119 (the "Leased Premises").

5. The monthly lease payments are \$2,025.00 each. As of November 26, 2024, the lease was due for the September 1, 2024 payment and all payments due since that time. As of November 26, 2024, Debtors are in arrears \$6,075.00.

6. Another payment comes due December 1, 2024.

7. But for the automatic stay, Lessor could and would terminate the Lease and evict the Debtors from the Leased Premises.

8. Landlord does not have and Debtors are not able to offer adequate protection of Landlord's interest in the Leased Premises or adequate assurance of future performance under the Lease.

9. Debtors have no equity in the Leased Property or the Lease.

10. Landlord does not have proof of current insurance as required by the Lease.

11. Because Debtors are not paying rent and Landlord would be harmed by any further stay, any Order either terminating or conditioning the automatic stay should be effective immediately and there should be no stay of the Order for fourteen days after the entry of the Order.

WHEREFORE, PREMISES CONSIDERED, Tanjila Ahmed c/o Manuela Perez prays for:

1. An Order of this Court granting Landlord relief from the automatic stay imposed pursuant to 11 U.S.C. § 362;

2. An Order of this Court authorizing Landlord to take immediate possession of the Leased Property and evict Debtors from the Leased Property;

3. An Order of this Court finding that any Order entered with regard to this Motion should be effective immediately upon its entry and should not be stayed for fourteen days following the entry of said Order; and

4. For such other and further relief, both general and specific, to which Landlord may show Lordlord is justly entitled.

Respectfully submitted,

/s/ Stephen G. Wilcox
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NOTICE REGARDING REQUIRED ANSWER

PURSUANT TO LOCAL BANKRUPTCY RULE 4001-1(b), A RESPONSE IS REQUIRED TO THIS MOTION, OR THE ALLEGATIONS IN THE MOTION MAY BE DEEMED ADMITTED, AND AN ORDER GRANTING THE RELIEF SOUGHT MAY BE ENTERED BY DEFAULT.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ELDON B. MAHON U.S. COURTHOUSE, 501 W. 10TH ST., FORT WORTH, TX 76102-3643 BEFORE CLOSE OF BUSINESS OF DECEMBER 17, 2024, WHICH IS AT LEAST 14 DAYS FROM THE DATE OF SERVICE HEREOF. A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY AND ANY TRUSTEE OR EXAMINER APPOINTED IN THE CASE. ANY RESPONSE SHALL INCLUDE A DETAILED AND COMPREHENSIVE STATEMENT AS TO HOW THE MOVANT CAN BE "ADEQUATELY PROTECTED" IF THE STAY IS TO BE CONTINUED.

CERTIFICATE OF CONFERENCE

I, the undersigned, hereby certify that prior to the filing of this Motion, I did the following:
My office contacted Debtors' attorney's office and was advised there was opposition to the Motion.

/s/ Stephen G. Wilcox
Stephen G. Wilcox

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion for Relief from the Automatic Stay was served by FIRST CLASS MAIL, POSTAGE PREPAID on:

Ronald Johnigan & Citerika Caldwell
1400 Sierra Estate Trail
Fort Worth, TX 76119

and by ELECTRONIC FILING on:

Christopher Lee
8701 Bedford Euless Rd., Suite 510
Hurst, TX 76053

Tim Truman
6851 N.E. Loop 820, Suite 300
North Richland Hills, TX 76180

Office of the U.S. Trustee
1100 Commerce, Room 976
Dallas, TX 75242

on December 3, 2024.

/s/ Stephen G. Wilcox
Stephen G. Wilcox

SUMMARY OF EXHIBITS

1. Residential Lease Agreement for 1440 Sierra Estate Trail, Fort Worth, TX 76119
2. Affidavit of Tanjila Ahmed

*Copies of Exhibits are available by written request to:

Kim Raudry
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8380-00001-597958